

**TIFFANY & BOSCO, P.A.**

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 Attorneys for Secured Creditor

US Bank National Association, as Trustee for Bear Stearns ARM Trust, Mortgage Pass-Through  
 Certificates Series 2004-11  
 10-73145

UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA

In re:

**BK-S-10-53096-gwz**

Deborah A. Braat,

Chapter 13

Debtor(s).

**NEGATIVE NOTICE OF ORDER RE  
 ADEQUATE PROTECTION**

[No Hearing Unless An Objection Is Set And  
 Noticed By A Party In Interest]

TO: DEBTOR: Deborah A. Braat  
 ATTORNEY FOR DEBTOR: Tyler M. Elcano, Esq.  
 TRUSTEE: William Van Meter  
 ALL INTERESTED PARTIES

NOTICE IS HEREBY GIVEN THAT: the attached ORDER RE ADEQUATE  
 PROTECTION marked as Exhibit "A", said Order is being circulated for Signatures. This  
 Order will be lodged for entry with the U.S. Bankruptcy Court once signed by the parties. In  
 the event that parties do not sign the Order RE Adequate Protection within twenty (20) days  
 from date below, we respectfully request to lodge said order.

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1 THIS NOTICE IS FURTHER GIVEN THAT: pursuant to Local Rule 9014, it is  
2 duty of any objecting party to timely set the objection for hearing and properly notice all  
3 parties in interest. An objection may be set for hearing by obtaining a hearing date from  
4 the Clerk of the United States Bankruptcy Court at (702) 527-7000. After a hearing  
5 date is obtained, the objection must be timely:  
6

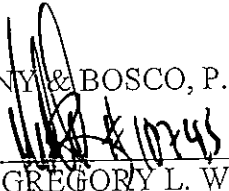
- 7 1. filed with the U.S. Bankruptcy Court Clerk (located at 300 Booth Street, Reno,  
8 NV; and
- 9 2. served on the above-named counsel and all other interested parties including, but  
10 not limited to, the trustee, the debtor and the U.S. Trustee; and
- 11 3. noticed to other parties of interest as required by Federal Rules of Bankruptcy  
12 Procedure.

13 The opposition must set forth all relevant facts and must contain a legal memorandum.

14 NOTICE IS FURTHER GIVEN THAT: if an objection is not filed, set for hearing,  
15 served, and properly noticed WITHIN TWENTY (20) DAYS FROM THE DATE BELOW, AN  
16 ORDER GRANTING THE ABOVE-REQUESTED RELIEF MAY BE ENTERED BY THE  
17 UNITED STATES BANKRUPTCY COURT WITHOUT FURTHER NOTICE OF HEARING,  
18 pursuant to 11 U.S.C Section 102(1)(B)(i)

19 Dated: \_\_\_\_\_

TIFFANY & BOSCO, P.A.

  
\_\_\_\_\_  
GREGORY L. WILDE, ESQ.  
212 South Jones Boulevard  
Las Vegas, NV 89107  
Attorney for Secured Creditor

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U.S. Bank National Association, as Trustee for Bear Stearns ARM Trust, Mortgage Pass-  
Through Certificates Series 2004-11  
10-73145

**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In Re:

Deborah A. Braat

Debtor.

BK-S-10-53096-gwz

MS Motion No.

Date:

Time:

Chapter 13

**ORDER RE ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing  
in the above-entitled Court, all appearances as noted on court record, and based upon all the  
papers and pleadings on file herein and good cause appearing therefore,

EXHIBIT A

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the  
 2 post-petition arrearages currently due as follows:

3	2 Monthly Payments at \$820.28	\$1,640.56
4	(August 1, 2011 - September 1, 2011)	
5	2 Late Charges at \$33.80	\$67.60
6	(August 1, 2011 - September 1, 2011)	
7	Attorneys Fees	\$400.00
8	Suspense Amount	(\$635.45)
9	Total	\$1,472.71

10 The total arrearage shall be paid in six monthly installments. Payments one through five  
 11 (1-5) in the amount of \$245.46 shall be in addition to the regular monthly payment and shall be  
 12 due on or before the 20th day of the month commencing with the October 20, 2011 payment and  
 13 continuing throughout and concluding on or before February 20, 2012. The sixth final payment  
 14 in the amount of \$245.41 shall be paid on or before March 20, 2012. Debtor will not be  
 15 penalized for early payment of these arrearages.

16 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume  
 17 and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan,  
 18 beginning with the October 1, 2011, payment, on Secured Creditor's Trust obligation, encumbering  
 19 the subject Property, generally described as 6320 E Choctaw Court , Sun Valley, NV 89433, and  
 20 legally described as follows:

21 Lot 198 in Block A of STONE CREEK PHASE IV AT HIGHLAND RANCH  
 22 NORTH, according to the official map thereof, filed in the office of the County  
 23 Recorder of Washoe County, State of Nevada, on April 7, 1994, as File No.  
 24 1784555, Tract Map No. 3023.

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IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with enforcing its Security interest in the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

Submitted by:

TIFFANY & BOSCO, P.A

By \_\_\_\_\_

**GREGORY L. WILDE, ESQ.**  
Attorneys for Secured Creditor  
212 South Jones Boulevard  
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT:

William Van Meter

DARBY LAW PRACTICE, LTD.

By \_\_\_\_\_

By \_\_\_\_\_

William Van Meter  
Chapter 13 Trustee  
P.O. Box 6630  
Reno, NV 89513

Tyler M. Elcano, Esq.  
Attorney for Debtors  
4777 Caughlin Pkwy  
Reno, NV 89519

Nevada Bar No. \_\_\_\_\_

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that on 9/30, 2011, a copy of NEGATIVE NOTICE OF ORDER RE ADEQUATE PROTECTION was served *in the manner listed below*:

1. I served the above-named document(s) by the following means to the persons as listed below:

*(Check all that apply)*

- a. **ECF System** *(You must attach the "Notice of Electronic Filing", or list all persons and addresses and attach additional paper if necessary)*

Tyler M. Elcano, Esq. at [tyler@darbylawpractice.com](mailto:tyler@darbylawpractice.com)  
Attorney for Debtor(s)

William Van Meter at [c13ecf@nvhbell.net](mailto:c13ecf@nvhbell.net)  
Ch. 13 Trustee

- b. **United States mail, postage fully prepaid**

*(List persons and addresses. Attach additional paper if necessary)*

**DEBTOR:**

Deborah A. Braat  
6320 Choctaw Ct  
Sun Valley, NV 89433

**DEBTOR'S COUNSEL**

Tyler M. Elcano, Esq.  
4777 Caughlin Prkwy.  
Reno, NV 89519

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed on: 9/30

  
TIFFANY & BOSCO, P.A.